

No. 9/5/84-6Lab/8214.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Kumar Industries, E/13, Industrial Area, Sonapat.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 64 of 83

between

SHRI SAMBHU NATH, WORKMAN AND THE MANAGEMENT OF M/S KUMAR INDUSTRIES, E/13, INDUSTRIAL AREA, SONEPAT

Present.—

None, for the parties.

AWARD

1. In exercise of powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Sambhu Nath and the management of M/s Kumar Industries, E/13, Industrial Area, Sonapat, to this Court, for adjudication,—vide Labour Department Gazette Notification No. ID/SPT/103/82/22166-71, dated 10th May, 1983 :—

Whether the termination of service of Shri Sambhu Nath was justified and in order? If not, to what relief is he entitled?

1. On receipt of the order of reference, usual notices were issued to the parties. The representative for the workman appeared. The workman alleged that he was employed as helper with the respondent since the year 1979 on monthly wages of Rs 322 but his services were terminated by the management on 31st December, 1981 unlawfully, without complying with the provisions of the Industrial Disputes Act, 1947.

2. The management did not appear in spite of notice. So *ex parte* proceedings order was passed against the management on 3rd August, 1982 and the case was fixed for today for filing claim statement by the workman, whose learned authorised representative Shri R. S. Lakra has made a statement that the whereabouts of the workman are not known to him, who does not seem to be interested in the prosecution of his claim and as such this reference is dismissed for non-prosecution and answered accordingly. There is no order as to cost.

Dated the 11th October, 1984

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak,
Camp Court, Sonapat.

Endorsement. No. 64-83/3511, dated the 8th November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak,
Camp Court, Sonapat.

No. 9/5/84-6Lab/8215.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Aroma Chemical Industries, Industrial Area, Sonapat.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 94 of 81

between

SHRI BACHU PARSAD, WORKMAN AND THE MANAGEMENT OF M/S AROMA CHEMICAL INDUSTRIES, INDUSTRIAL AREA, SONEPAT

Present.—

Shri R. S. Lakra, A. R., for the workman.
Shri Surinder Kaushal, A. R., for the management.

AWARD

1. In exercise of powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Bachu Parsad management of M/s Aroma Chemical Industries, Industrial Area, Sonapat, to this Court, for adjudication,— vide Labour Court, Department Gazette Notification No. ID/SPT/73-81/33266, dated 10th July, 1981:—

Whether the termination of services of Shri Bachu Parshad, was justified and in order ? If not, to what relief is he entitled ?

2. On receipt of the order of reference, usual notices were issued to the parties. The parties appeared. The workman alleged that he was employed as helper with the respondent since the year 1973 on monthly wages of Rs 265 and that the management obtained his signatures on blank papers on 9th April, 1981 and when on 10th April, 1981 the workman went for his duty to the respondent, he was not allowed to enter the factory premises and as such his services were terminated unlawfully without any notice or payment of compensation as envisaged in the Industrial Disputes Act, 1947.

3. A reply filed by the respondent, in which the claim of the workman has been controverted in to to. Since this reference is being answered on grounds other than merits, so, I need not detail the pleas put forth by the respondent.

4. On the pleadings of the parties, the following issues were settled for decision on 5th March, 1982 :—

(1) Whether the workman left the services of the management of his own accord ?

(2) Whether the termination of services of Shri Bachu Parshad was justified and in order ? If not, to what relief he is entitled ?

4. After the management closed its evidence and the case was fixed for evidence of the workman, the learned authorised representative of the workman Shri R. S. Lakra made a statement that the claim of the workman has been fully satisfied, because of settlement arrived at between the parties, where under the workman has been paid a sum of Rs 400 by the management in full and final settlement of the claim of the workman. So, now no disputes services for adjudication. This reference is answered and returned accordingly. There is no order as to cost.

Dated the 11th October, 1984.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Sonapat.

Endorsement No. 94-81/3512, dated the 8th November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes, Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak,
Camp Court, Sonapat.

No. 9/5/84-6 Lab/8216.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and management of M/s B. E. Pump (P) Ltd., M.I.E., Bahadurgarh.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 106 of 84

between

SHRI JETAN RAM, WORKMAN AND THE MANAGEMENT OF M/S B. E. PUMP
(P) LTD., MIE, BAHADURGARH

Present.—

Workman in person.

Shri P. R. Dutto, A. R., for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Jetan Ram and the management of M/s. B. E. Pump (P) Ltd., MIE, Bahadurgarh, to this Court, for adjudication,—vide Labour Department Gazette Notification No. 23412-17, dated 29th June, 1984:—

Whether the termination of services of Shri Jetan Ram was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, usual notices were issued to the parties. The parties appeared. The case of the workman is that he was employed by the respondent as a Chowkidar since 5th July, 1973 on monthly wages of Rs. 574 but his services were terminated by the respondent on 7th October, 1983 without giving any chargesheet or retrenchment compensation as envisaged under section 25-F of the Industrial Disputes Act, 1947.

3. The respondent appeared in pursuance of the notice given to him and before a reply could be filed by him, happily a settlement was arrived at, whereunder the workman has been paid a sum of Rs. 6,691-55 in full and final settlement of his claim. In that behalf written settlement Ex. "X" has been placed on record and statement of the workman has been recorded thereunder. So, now no dispute survives for adjudication. The reference is answered and returned accordingly. There is no order as to cost.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,

Dated the 12th October, 1984.

Endorsement No. 106-84/3573, dated the 8th November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab/8217.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Hissar Textile Mills, Hissar.

BEFORE SHRI B.P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 221 of 1983

between

SHRI GOPI CHAND, WORKMAN AND THE MANAGEMENT OF M/S HISSAR
TEXTILE MILLS, HISSAR

Present :—

Shri T. C. Gupta, A.R., for the workman.

Shri S. C. Jain, L.A., for the respondent.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute, between the workman Shri Gopi Chand and the management of M/s. Hissar Textile Mills, Hissar, to this Court, for adjudication,—vide Labour Department Gazette Notification No. 59011-15, dated 10th November, 1983 :—

Whether the termination of services of Shri Gopi Chand, was justified and in order? If not, to what relief is he entitled?

2. On receipt of the order of reference, usual notices were issued to the parties. The parties appeared. The claim of the workman is that he was employed as a Cone packer about 12 years ago and his monthly wages were Rs. 530 and that he was served with a charge-sheet on 1st March, 1983

to which a reply was filed by him on 2nd March, 1983 and that Enquiry Officer was appointed on 17th March, 1981, who submitted a bias report in favour of the respondent and that his services were terminated unlawfully.

3. A detailed reply was filed by the respondent, completely controverting the claim of the workman. I need not detail the pleas taken, because this reference is being answered on grounds other than merit. Before the issue could be framed, happily a settlement was arrived at, whereunder the workman fully and finally settled his accounts with the respondent after relinquishing his claim for reinstatement. In that behalf statement of the learned Authorised Representative of the workman Shri T. C. Gupta was recorded. The management also placed on record the recorded settlement Ex. M-1. So, in view of the settlement, arrived at between the parties, no dispute survives for adjudication. This reference is answered and returned accordingly. There is no order as to cost.

Dated the 18th October, 1984.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

Endst. No. 221-83/3517, dated the 8th November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-Lab/8218.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s The Sonapat Co-operative Consumer Store Limited, Municipal Market, Near Chakor Restaurant, Sonapat:

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR CAURT, ROHTAK

Reference No. 237 of 1980

between

SHRI MAHAVIR PARSHAD, WORKMAN AND THE MANAGEMENT OF M/S THE
SONEPAT CO-OPERATIVE CONSUMER STORE LIMITED, MUNICIPAL
MARKET, NEAR CHAKOR RESTAURANT, SONEPAT

Present:—

None, for the parties.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Mahavir Parshad and the management of M/s The Sonapat Co-operative Consumer Store Limited, Municipal Market, Near Chakor Restaurant, Sonapat, to this Court, for adjudication,—*vide* Labour Department Gazette Notification No. ID/SPT/104-80/55000, dated 27th October, 1980 :—

Whether the termination of services of Shri Mahavir Parshad was justified and in order ? If not, to what relief is he entitled ?

2. On receipt of the order of reference, usual notices were issued to the parties. The parties appeared. The case of the workman is that he was employed with the respondent since 1st May, 1973 on monthly wages of Rs. 340 but his services were terminated unlawfully on 31st March, 1980 without holding an enquiry or payment of any compensation as envisaged under section 25-F of the Industrial Disputes Act, 1947.

3. A detailed written statement was filed by the respondent controverting the claim of the petitioner in toto. I need not detail the pleas taken by the respondent, because this reference is being dismissed for non prosecution.

4. On the pleadings of the parties, the following issues were settled for decision on 18th August, 1981 :—

1. Whether the applicant is a workman under section 2(s) of the Industrial Disputes Act, 1947 ?
2. Whether the applicant has remained gainfully employed ? If so, to what effect and to what extent ?
3. Whether the termination of services of Shri Mahavir Parshad was justified and in order ? If not, to what relief is he entitled ?

5. After the parties had gone through the gamut of adducing evidence, the workman absented and so this reference is dismissed for non prosecution and answered accordingly. There is no order as to cost.

B. P. JINDAL,

Dated the 18th October, 1984.

Presiding Officer,
Labour Court, Rohtak.

Endorsement No. 237-80/3578, dated the 8th November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.

No. 9/534-6 Lab/8219.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Standard Auto Industries, Jhajjar Road, Rohtak.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 118 of 1982

between

SHRI JAGE RAM, WORKMAN AND THE MANAGEMENT OF M/S STANDARD AUTO INDUSTRIES, JHAJJAR ROAD, ROHTAK

Present :—

None, for the parties.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana, referred the following dispute, between the workman Shri Jage Ram and the management of M/s Standard Auto Industries, Jhajjar Road, Rohtak, to this Court, for adjudication,—vide Labour Department Gazette Notification No. JD/RTK/53/82/26882, dated 14th June, 1982 :—

Whether the termination of services of Shri Jage Ram was justified and in order ? If not, to what relief is he entitled ?

2. On receipt of the order of reference, usual notices were issued to the parties. The representative for the workman appeared. The claim of the workman is that he was working as Machine Operator with the respondent since 13th November, 1971 but his services were terminated unlawfully on 24th December, 1981 without complying with the provisions of section 25-F of the Industrial Disputes Act, 1947.

3. A detailed reply was filed by the respondent controverting the claim of the petitioner in toto. I need not detail the pleas taken, because this reference is being dismissed for non prosecution.

4. On the pleadings of the parties, the following issues were laid down for decision on 7th December, 1982 :—

1. Whether the applicant abandoned his employment by remaining absent from his duties of his own ? If so, to what effect ?

2. Whether the reference is not maintainable in view of preliminary legal objection of the written statement? If so, to what effect?
3. Whether the applicant is gainfully employed since he abandoned his employment? If so, to what effect?
4. Whether the termination of service of Shri Jage Ram was justified and in order? If so, to what relief is he entitled?

5. After the management had closed their evidence the management absented and so *ex parte* proceedings order was passed against the management by me on 13th September, 1984. Subsequently the workman absented. So, this reference is ordered to be dismissed for non prosecution and answered accordingly. There is no order as to cost.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

Dated the 19th October, 1984.

Endst. No. 118-80/3579, dated the 8th November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak.

No. 9/5/84-6Lab/8220.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Ajay Castings Pvt. Ltd, MIE Bahadurgarh (Rohtak).

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT,
ROHTAK

Reference No. 127 of 1983

between

SHRI RAM JANAM, WORKMAN AND THE MANAGEMENT OF
M/s AJAY CASTINGS PVT. LTD., MIE BAHADURGARH, ROHTAK

Present—

Shri Dhan Singh, A. R. for the workman.

None, for the respondent.

AWARD

1. In exercise of powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Ram Janam and the management of M/s Ajay Castings Pvt. Ltd., MIE, Bahadurgarh (Rohtak) to this Court, for adjudication,—vide Labour Department Gazette Notification No. ID/RTK/72-83/45094-99, dated 3rd September, 1983:—

Whether the termination of services of Shri Ram Janam was justified and in order? If not, to what relief is he entitled?

2. The claim of the workman as made out from the demand notice is that he was employed with the respondent with effect from 1st December, 1980 as a helper on monthly wages of Rs 340, but his services were terminated by the management unlawfully on 18th November, 1982 in flagrant disregard of the provisions of section 25-F of the Industrial Disputes Act, 1947.

3. After receipt of the order of reference, notices were sent to the parties. The workman appeared through Shri Dhan Singh but the management did not appear in spite of notice and so,

ex parte proceedings order was passed against the management by me,—*vide* order dated 23rd August, 1980.

4. In *ex parte* evidence, the workman appeared as his own witness and made a statement completely in corroboration with the allegations made in the claim statement and as such, I, need not suffer repetition. I, see no reason to disbelieve the un rebutted statement of the workman and I, find that the management unlawfully dispensed with the services of the workman, in gross violation of the provisions of section 25-F of the Industrial Disputes Act, 1947 and as such the workman is ordered to be reinstated forthwith with continuity of service and full back wages. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 22nd October, 1984.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.
Camp Court, Bahadurgarh.

Endst. No. 127-80/3524, dated the 8th November, 1984

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak.
Camp Court, Bahadurgarh.

The 29th November, 1984

No. 9/5/84-6Lab/8223.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Haryana State Federation of Consumer Co-operative Wholesale Stores Ltd., Chandigarh.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 15 of 1983

between

SHRI CHANDI RAM, WORKMAN AND THE MANAGEMENT OF M/S. HARYANA
STATE FEDERATION OF CONSUMERR CO-OPERATIVE WHOLESALE STORES
LTD., CHANDIGARH

Present.—

Shri T. C. Gupta, A. R., for the workman.

Shri Ran Singh, Law Officer for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Chandi Ram and the management of M/s Haryana State Federation of Consumer Co-operative Wholesale Stores Ltd., Chandigarh to this court, for adjudication,—*vide* Labour Department Gazette Notification No. 7043-48, dated the 20th February, 1984 :—

Whether the termination of services of Shri Chandi Ram was justified and in order? If not, to what relief is he entitled?

2. The workman alleged that he was employed as a Salesman with the respondent on 15th December, 1981 on monthly wages of Rs 350 and that his services were terminated on 30th April, 1983 without any notice or chargesheet or payment of any retrenchment compensation as envisaged under section 25-F of the Industrial Disputes Act, 1947.

3. A detailed reply was filed by the respondent completely, controverting the claim of the petitioner. Since this reference is being answered, on grounds other than merits, so, I need not to detail the pleas taken by the respondent.

4. Today the learned Authorised Representative of the workman Shri T. C. Gupta, made a statement that the workman had sought employment elsewhere and as such he does not want to prosecute this reference. The same is answered and returned accordingly. There is no order as to cost.

Dated the 30th October, 1984.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.

Endorsement No. 15-84/3530, dated the 8th November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.

No. 9/5/84-6 Lab/8224.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Dean Home Science College, Haryana Agriculture University, Hissar.

BEEORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT,
ROHTAK.

Reference No. 101 of 1984

between

SHRI VIRENDER KUMAR, WORKMAN AND THE MANAGEMENT OF M/S. DEAN
HOME SCIENCE COLLEGE, HARYANA AGRICULTURE UNIVERSITY, HISSAR.

Present :—

None, for the workman.

Shri Madan Lal, Accountant for the respondent

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute, between the workman Shri Virender Kumar and the management of M/s. Dean Home Science College, Haryana Agriculture University, Hissar, to this Court, for adjudication,— vide Labour Department Gazette Notification No. 22326-30, dated 21st June, 1984:—

Whether the termination of services of Shri Virender Kumar was justified and in order? If not, to what relief is he entitled?

2. The workman alleged that he was appointed as Sweeper on 10th February, 1983 but his services were terminated by the management without any lawful excuse and in flagrant disregard of the provisions of the Industrial Disputes Act, 1947.

3. After receipt of the order of reference, notices were sent to the parties. The respondent appeared through his Authorised Representative Shri Madan Lal, Accountant. The workman did not appear in spite of service through registered notice. So, it seems that the workman is not interested in prosecution of the reference and the same was dismissed. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 31st October, 1984.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.

Endorsement No. 101-84/3537, dated the 8th September, 1984

Forwarded (four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,
Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.

The 6th December, 1984

No. 9/5/84-6Lab/8397.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Venus Paper Mills, Ltd., 50 NIT, Faridabad.

IN THE COURT OF SHRI R. N. SINGAL, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 82 of 1984

between

SHRI SAROJ KUMAR, WORKMAN AND THE RESPONDENT-MANAGEMENT OF M/S VENUS
PAPER MILLS LTD., 50 NIT, FARIDABAD

Present:

Shri Manohar Lal, for the workman.

None, for the management.

AWARD

This reference has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/66/84/16767-72, dated 30th April, 1984 under section 10 (1) (c) of the Industrial Disputes Act, 1947 for adjudication of the industrial dispute existing between Shri Saroj Kumar workman and the respondent-management of M/s. Venus Paper Mills, Ltd., 50 NIT, Faridabad. The term of the reference was :—

Whether the termination of service of Shri Saroj Kumar was justified and in order ? If not, to what relief is he entitled ?

The management was proceeded *ex parte* on 19th September, 1984 as none appeared for the management after service by affixation of notice on the factory gate. In *ex parte* evidence, the workman has appeared as WW-1 and has stated that he was working with the respondent for the last three years. On 24th September, 1983 he was asked to work on over time which he refused because he has already worked for more than 12 hours. On the next date warn he went to join his duty, he was allowed and he was not given any compensation under Section 25-F of the Industrial Dispute Act. He has also produced Ex. W-1 copy of complaint Ex. W-2 P.F. Slip, proving that he was employee of the respondent.

In view of the un-rebutted statement of the workman, I am satisfied that the services of the workman were terminated illegally. I therefore, give the award that the workman is entitled to reinstatement with continuity of services and with full back wages.

Dated the 12th November, 1984.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.

Endst. No. 2685, dated the 16th November, 1984

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

R. N. SINGAL,
Presiding Officer,
Labour Court, Faridabad.